

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BENJAMIN ESPINOSA

v.

MICHAEL J. ASTRUE, Commissioner of the  
Social Security Administration

:  
:  
:  
:  
:

CIVIL ACTION

No. 08-4061

**ORDER**

AND NOW, this 21<sup>st</sup> day of August, 2009, upon consideration of Plaintiff Benjamin Espinosa's motion for summary judgment and Defendant's response thereto, and after careful review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, it is ORDERED:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The Plaintiff's request for review is GRANTED.
3. The matter is REMANDED to the Commissioner for further review consistent with this Order.

BY THE COURT:

\s\ Juan R. Sánchez

Juan R. Sánchez

J.